

John L. Amsden, Esq.
Michael G. Black, Esq.
BECK, AMSDEN & STALPES PLLC
1946 Stadium Drive, Suite 1
Bozeman, MT 59715
Tel: (406) 586-8700
Fax: (406) 586-8960
amsden@becklawyers.com
mike@becklawyers.com

John M. Morrison, Esq.
MORRISON, SHERWOOD, WILSON & DEOLA PLLP
401 North Last Chance Gulch, PO Box 557
Helena, MT 59601
Tel: (406) 442-3261
Fax: (406) 443-7294
john@mswdlaw.com

Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA, GREAT FALLS DIVISION

AUDREY TURNER, VICKY BYRD,
JENNIFER TANNER, LINDA LARSEN,
PAUL LEE, BRANDI BRETH, KATE
HOULIHAN, BARB MOSER,
Plaintiffs,

v.

NORTHERN MONTANA HOSPITAL, a
Montana Nonprofit Corporation, ST.
PETER'S HOSPITAL, a Montana
Nonprofit Corporation, BOZEMAN
DEACONESS HEALTH SERVICES, a
Montana Nonprofit Corporation, RCHP
BILLINGS—MISSOULA LLC, a
Delaware Limited Liability Company,
CMC MISSOULA INC., a Montana
Nonprofit Corporation, and BILLINGS
CLINIC, a Montana Nonprofit
Corporation,

Defendants.

CAUSE NO. CV-17-141-GF-BMM

**PLAINTIFFS' MOTION TO COMPEL
PRODUCTION OF DOCUMENTS BY
SUBPOENA DIRECTED TO
CLIFTONLARSONALLEN, LLP**

Pursuant to Rules 26, 37 and 45 of the Federal Rules of Civil Procedure, Plaintiffs hereby move for an order compelling CliftonLarsonAllen, LLP to produce documents in response to Plaintiffs' reissued subpoena seeking production of documents regarding audits of books and records of Defendant CMC Missoula, Inc.

Pursuant to Fed. R. Civ. P. 37(a)(1), the undersigned hereby certifies that Plaintiffs' attorneys have in good faith conferred on February 22, 2019, with the attorneys for CMC Missoula, Inc. in an effort to resolve this dispute without court action. Plaintiffs further contacted the Court in order to request guidance as to CMC Missoula's designation of certain documents as "confidential" and have requested a status conference in this regard. As required by paragraph 5 of the Amended Order (Doc. 89), Plaintiffs must file this Motion within 10 days of February 22, 2019. Plaintiffs have complied with paragraph 5 of the Amended Order (Doc. 89).

Pursuant to LR 7.1, counsel for CMC Missoula, Inc. has been contacted and has objected to this Motion. Counsel for Plaintiffs believe that this matter may be resolved by stipulation, but also reasonably believe that CliftonLarsonAllen, LLP will require an Order of this Court in order to produce documents in response to the subpoena at issue. This Motion is accompanied by a brief in support filed herewith.

CliftonLarsonAllen, LLP has been served with this Motion and supporting materials.

DATED this 4th day of March 2019.

SUBMITTED BY:

/s/ Michael G. Black
BECK AMSDEN & STALPES, PLLC
1946 Stadium Drive, Suite 1
Bozeman, MT 59715

John M. Morrison, Esq.
MORRISON, SHERWOOD, WILSON &
DEOLA PLLP
401 North Last Chance Gulch, PO Box 557
Helena, MT 59601

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that, on the 4th day of March 2019, a true and accurate copy of the foregoing was served upon counsel listed below by the means indicated:

CliftonLarsonAllen LLP U.S. MAIL

c/o Adam Steimel, Individual Contact for
Registered Agent CT Corporation System Inc.
120 South Central Avenue, Suite 400
Clayton, MO 63105

CliftonLarsonAllen LLP EMAIL AND U.S. MAIL

c/o John A. Shutkin, Esq.
General Counsel
CliftonLarsonAllen LLP
131 Hartwell Avenue, Suite 300
Lexington, MA 02421
john.shutkin@claconnect.com

/s/ Michael G. Black
BECK, AMSDEN & STALPES, PLLC